

FINAL BILL REPORT

SB 6070

C 426 L 09
Synopsis as Enacted

Brief Description: Regarding disposal of dredged riverbed materials.

Sponsors: Senator Hatfield.

Senate Committee on Natural Resources, Ocean & Recreation
Senate Committee on Ways & Means
House Committee on Agriculture & Natural Resources
House Committee on General Government Appropriations

Background: Generally, any person may apply to remove valuable materials such as sand, rock, and gravel from state-owned beds of navigable waters. The Department of Natural Resources (DNR) may approve such applications if it determines that such removal is in the best interest of the state. Such removal is subject to a royalty, which is paid to DNR.

DNR may determine the royalty by negotiation, sealed bid, or through public auction. However, DNR must consider the flood protection value to the public when establishing a royalty.

Landowners who sold dredge spoils removed from the state-owned beds and shores of the Toutle River, Coweeman River, and a portion of the Cowlitz River between 1980 and 1995 were exempted from DNR's royalty on valuable materials.

Summary: A landowner that has accepted materials dredged from the Coweeman River, Toutle River, or a specified segment of the Cowlitz River onto his or her property prior to January 1, 2009, may sell, transfer, or otherwise dispose of the materials without having to pay compensation to DNR, if the materials were removed from the rivers for the benefit of navigation or flood control.

Dredge spoils removed from the specified rivers between January 1, 2009, and December 31, 2017, may only be sold, transferred, or disposed without paying compensation to DNR if the land where the materials are located was not used as a source for the commercial sale of similar materials prior to the beginning of the year 2009.

Prior to removing and selling the materials, the landowner must notify DNR as to how much and what type of material is being removed. DNR must provide a biennial report to the

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Legislature that provides a summation of funds that would have accrued to the state if landowners were required to compensate DNR for the materials.

Votes on Final Passage:

Senate	46	2	
House	90	7	(House amended)
Senate	48	0	(Senate concurred)

Effective: July 26, 2009